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### Extended Response to Information Request

IND33125.EX

23 December 1999

**India:** Situation of Tibetan refugees and those not recognized as refugees; including legal rights and living conditions

Research Directorate, Immigration and Refugee Board, Ottawa

This Extended Response provides information on the current situation of Tibetans and Tibetan refugees living in India. It covers their legal rights as well as living conditions in India. Further information on Tibetans in India can be found in Response to Information Request ZZZ32810.E found in the Regional Documentation Centres, the REFINFO database and on the IRB Website at <<http://www.irb.gc.ca>>.

#### Introduction

Recent reports indicate that there are between 98,000 and 110,000 Tibetans currently living in India (*Country Reports* 1998 1999, 1903; US Dept. of State Aug. 1998; USCR 1999). The original group of refugees included 80 - 85,000 Tibetans who fled to India with the Dalai Lama in 1959 (The Government of Tibet in Exile 1996, 1.1.1; Central Tibet Administration Apr. 1997, 2; USCR 1999; TIN 4 Feb. 1998). These Tibetans were granted official refugee status by the Government of India (USCR 1997; The *The Tibet Journal* 1997, 24). The second major wave of Tibetans arriving in India began in late 1979-80, "after the liberalization of Chinese policy ... made travel to India legally feasible and escape a realistic possibility" (The Government of Tibet in Exile 1996, 1.1.3.1; Central Tibetan Administration Apr. 1997, 2).

Tibetans in India live in 37 different settlements and 70 scattered communities (The Government of Tibet in Exile 1996 Table 1.1.3). The settlements are official Tibetan communities established on land granted by the Government of India (*ibid.*, 3A.1.1) in Himachal Pradesh, Ladakh, Arunachal Pradesh, Karnataka, Uttar Pradesh, Madhra Pradesh, South Sikkim, West Bengal, Maharashtra and Orissa (*ibid.* 29 Jan. 1996). Of the settlements, close to half are based on agriculture, while one-third are agro-industrial and a fifth are handicraft-based (The Government of Tibet in Exile 1996 1.1.2). The scattered communities consist of smaller groups of Tibetans outside of the official settlements who were not willing, or not able, due to limited resources, to be accommodated in the settlements (*ibid.* 3A.1.1). Of the Tibetans who arrived between 1959 and 1979, the Government of Tibet in Exile states that 9,845 are not legally recognized by India, have not been given "rehabilitation facilities" such as land and housing and are considered to be "unsettled" (*ibid.*, 3A.1.2, 3B.1.1). According to a senior researcher with